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C O N F I D E N T I A L SECTION 01 OF 03 ADDIS ABABA 000174

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SUBJECT: ETHIOPIA PRIME MINISTER URGES AMBASSADORS FROM UN  
SECURITY COUNCIL STATES TO REMAIN NEUTRAL ON THE BORDER

Classified By: Ambassador Donald Yamamoto for reasons 1.4 (b) and (d).

SUMMARY

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11. (C) Prime Minister Meles called in the local Ambassadors from UN Security Council member states on January 21 to urge them to advise their respective representatives in New York to remain neutral during discussions by the UNSC on the Ethiopia-Eritrea border and extension of the mandate for the UN Mission to Eritrea and Ethiopia (UNMEE). Meles emphasized that Ethiopia opposed any UN endorsement of the decision by the Eritrea Ethiopia Boundary Commission (EEBC) of November 2006, finalizing the border through map coordinates or "virtual demarcation." Meles noted that Ethiopia would leave the Algiers Agreement process and cease support for UNMEE if the UNSC takes any of the following steps: 1) passing a resolution recognizing the EEBC's "virtual demarcation" as "final and binding," thus giving it international legal support, 2) calling for the implementation of the EEBC's decision without discussion, or 3) altering UNMEE's mandate to enforce implementation of the EEBC decision. Meles underscored that Ethiopia does not wish to leave the Algiers process and that Ethiopia has been in compliance with the Algiers Peace Agreement and the Cessation of Hostilities Agreement -- the two basic agreements between Eritrea and Ethiopia outlining the steps for resolution of the border dispute. The Prime Minister argued that Eritrea has consistently violated the accords through limitation of UNMEE operations and positioning Eritrean troops to occupy the neutral Temporary Security Zone (TSZ). Ambassador privately advised the Foreign Minister, and referred the Prime Minister to that conversation, that to attract UNSC support for Ethiopia's points -- some of which have merit -- a positive tone by Ethiopia towards the UNSC rather than a confrontational threat of withdrawal from the Algiers peace process would be better received by the Council. Regardless, UN support for the EEBC decision is clearly a redline for the Ethiopians. End Summary.

MAINTAIN NEUTRALITY OR ETHIOPIA WILL WALK...MAYBE  
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12. (C) Prime Minister, accompanied by Foreign Minister Seyoum Mesfin, MFA Legal Advisor Minelik Alemu, and chiefs of staff for the Prime Minister and the Foreign Minister, Gebretensai and Abdeta met January 21 with Ambassadors representing the countries currently on the UN Security Council. The Prime

Minister stressed to the Ambassadors to inform their respective foreign ministries and their representatives in New York to maintain neutrality on the border dispute between Eritrea and Ethiopia during late-January Council discussions on the extension of the UNMEE mandate. Meles said Ethiopia would leave the Algiers peace process and cease support for UNMEE if the Security Council: 1) endorses the "virtual demarcation" decision by the EEBC, 2) considers the decision as "final and binding," 3) seeks enforcement of the decision, or 4) changes the UNMEE mandate to serve as an "enforcer" to implement the EEBC decision. Meles emphasized that Ethiopia does not wish to drop out of the Algiers peace process, that it is committed to the process to resolve tensions, and remains fully supportive of the agreements signed with Eritrea before the UN and other organizations and states standing in witness. Further, Meles made it clear that he believes UNMEE is important to the peace process and wants its continuation and its mandate extended, but not changed.

#### THE PARTIES THEMSELVES MUST RESOLVE THEIR DIFFERENCES

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¶3. (C) Meles reminded the Ambassadors that Ethiopia has, in most instances, been in compliance with the Algiers Peace Agreement and Cessation of Hostilities Agreement -- the two basic documents which serve as guides to resolution of the border dispute. The Prime Minister explained that the Cessation of Hostilities Agreement, like the Algiers Peace Accord are bilateral agreements. The UN serves as a witness and has no mandate under the agreements to implement or enforce any decisions made by the parties or organizations created by the parties, like the EEBC, without the agreement of the two parties. Ultimately, it is up to the parties themselves to resolve their differences. The parties must

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work directly with each other and agree to implement decisions mutually reached by the parties and/or by entities created by the parties, such as the EEBC. The Prime Minister criticized the "virtual demarcation" decision by the EEBC as "nonsense" and totally against what the parties agreed to in the beginning of the process. Apparently to avoid the impression of Ethiopia's opposition to the EEBC, Meles quickly added that Ethiopia is in agreement with the delimitation decision by the EEBC but that demarcation must still be worked out mutually by the parties.

¶4. (C) On the Cessation of Hostilities Agreement, Meles said Ethiopia is committed to upholding the cease-fire agreement, renounces war as a means to effect change, supports the neutrality of the TSZ, wants to resolve the border dispute peacefully, and agrees that the UN can punish either party through chapter 7 sanctions should any party violate the cease-fire agreement. In this context, Meles said Eritrea is in clear violation of this agreement because Eritrea has eliminated the TSZ by deploying its troops and armaments into the TSZ. The TSZ no longer exists, Meles asserted. The UNSC should act, Meles urged, in pressuring Eritrea to abide by its bilateral agreement to withdraw Eritrean troops from the TSZ.

¶5. (C) On the Algiers Peace Agreement, Meles said that Ethiopia supported the creation of the EEBC and demining efforts within the TSZ. Eritrea restricted UN operations and also demining efforts. Meles stressed that under the Algiers Accord, the EEBC is not an international legal body, but an entity created by the parties to help them move forward in the peace process. Thus, the EEBC decision cannot be implement or enforced by the international community without the agreement of the parties, who are the ultimate implementers and enforcers of the agreement. Meles stated emphatically /multiple times that the UN cannot enforce the EEBC decisions nor be an enforcer or implementer of bilateral decisions, it can only facilitate, help and encourage the parties to resolve

their own problems. At a point of clear frustration, Meles said the UNSC does not act where it has the mandate, that is implementing Chapter Seven sanctions against Eritrea for violating the TSZ according to the Cessation of Hostilities Agreement; yet acts in areas where it has no mandate, that is consideration of implementing the EEBC decision, which Meles again argued is purely a bilateral issue for the parties to implement.

#### RESPONSES FROM THE AMBASSADORS

16. (C) The Belgian Ambassador stressed to the Prime Minister that UNSC deliberations were still at the beginning stages and that there were no agreements on the proposed UN drafts seeking UNMEE extension and no clear and final comments on the "virtual demarcation" decision by the EEBC. UNMEE SRSG reported on the fuel restrictions by Eritrea will make it impossible for UNMEE to operate. The U.S. Ambassador raised the Witness' meeting of February 2006 on the role of the Witnesses to encourage resolution by the parties themselves, the crucial necessity of the parties to abide by the Algiers Peace and Cessation of Hostilities Agreements, and the challenges of land and property rights as well as consular access and citizenship issues that the parties and international community face in a final demarcation agreement. Other Ambassadors noted their understanding of the position of Ethiopia.

#### COMMENT

17. (C) Meles' comments to the Ambassadors reflect the views of the powerful executive committee of the ruling EPRDF party and serve as a redline for the Ethiopian government. Despite agreement by both parties, including Ethiopia, for the Algiers Peace Agreement's provisions that the EEBC can set its own procedures and regulations and that the EEBC's delimitation and demarcation determinations shall be final and binding, Ethiopia opposes the EEBC's "virtual demarcation" decision as "final

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and binding" and remains steadfast to its position of direct mutual discussion by the parties themselves with no outside comment or advice as the only way to implement a final demarcation decision. Ultimately, the border demarcation decision cannot be implemented peacefully without addressing the fundamental tensions and divisions which gave rise to the border war. Without addressing the bilateral problems, any demarcation decision or effort to implement a demarcation line will most likely lead to renewed conflict. At the same time, Ethiopia's change of heart to the EEBC's decisions, which it agreed to uphold prior to the EEBC process, has complicated the border problem.

18. (C) The Ambassadors felt the threat of withdrawal was more theatrics than substance and the meeting came off as criticism of the UNSC members. The U.S. Ambassador told the Foreign Minister separately, and referred the Prime Minister to that conversation, that criticism of UN deliberations will undercut Ethiopia's message. It would be in Ethiopia's interest and help discussions in New York for Ethiopia to explain how it will implement a lasting and peaceful demarcation decision. End Comment.  
YAMAMOTO